

Gerald M. Needham, OSB # 963746  
Assistant Federal Public Defender  
101 SW Main Street, Suite 1700  
Portland, Oregon 97204  
Tel: (503) 326-2123  
Fax: (503) 326-5524  
jerry\_needham@fd.org

Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**JOSHUA M. WARNER,  
aka EVA WARNER,**

**Defendant**

**Case No. 3:20-cr-00442-HZ**

**DECLARATION OF COUNSEL IN  
SUPPORT OF UNOPPOSED MOTION  
TO CONTINUE TRIAL DATE**

I, Gerald M. Needham, declare:

1. I am counsel for Eva Warner in the above-entitled action.
2. Ms. Warner has been indicted for one count of Civil Disorder in violation of 18 U.S.C. § 231(a)(3).
3. Ms. Warner has been released on pretrial conditions and is in compliance with the conditions of her release.

4. Ms. Warner has authorized counsel to represent she consents to the continuance with the knowledge that the timeframe is excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A).
5. Defense counsel has filed a Motion to Dismiss Indictment and supporting exhibits (ECF 16, 17). The filing of that motion tolls the speedy trial clock, and will require additional time to litigate and allow for the Court to make a decision.
6. Additionally, counsel is in need of more time to conduct legal research, locate potential exculpatory evidence, review discovery materials with the defendant, and otherwise properly prepare for trial.
7. Assistant United States Attorney Tom Ratcliffe has authorized counsel to represent the government has no objection to the requested continuance.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct; that the statements set forth above are based on my own knowledge, except where otherwise indicated, and I believe those statements to be true; and that this declaration was executed on January 26, 2021, in Portland, Oregon.

/s/ Gerald M. Needham  
Gerald M. Needham  
Attorney for Defendant